IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

APPEAL FROM ORDER NO.997 OF 2004

IN

DRAFT NOTICE OF MOTION NO.4474 OF 2004

IN

L.C.SUIT NO.5124 OF 2004.

Mrs.Bindu Himat Mehta : Appellant.

versus

Municipal Corporation of

Greater Bombay. : Respondents.

Mr.Y.S.Jahagirdar with Mr.S.D.Nangre and Mr.Ganesh Khaire for the appellant.

Mr.N.V.Walawalkar with Mr.B.J.Bhor for the respondents.

CORAM : D.G.DESHPANDE,J.

DATED : 22nd February 2005.

ORAL ORDER

1. This appeal is filed by the original

plaintiff against the order of the City Civil Court refusing ad interim relief. The motion is still pending. It is better to hear both the parties on the motion on merits for final relief. Respondents have filed their reply in this appeal. They may file copy of the said reply, or with addition, if they want to, before the trial Court and, the trial Court ill decide the motion within two weeks from the communication of this Order. The parties will maintain status quo till then. The appeal is disposed of. There are no observations on merits by this Court. If the order of the City Civil Court is adverse to the plaintiff/appellant, she will be giving two weeks time to challenge the same before this Court and till then status quo will be continued.

[D.G.DESHPANDE]

22/02/2005 JUDGE.